

**RECEIVED
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FAX TRANSMITTAL SHEET**

Motorola, Inc.
Intellectual Property Section
Law Department
Law Department
3102 North 56th Street
Phoenix, Arizona 85018

OFFICIAL

Telephone: 602-952-4399
Facsimile: 602-952-4376

9

Number of Pages (including this page)

Date: August 3, 2004
To: Michael J. Moore Jr. - 2666
Location: United States Patent and Trademark Office
Fax No.: 703-872-9306 Centralized Facsimile
From: Frank J. Bogacz - 29,047
Subject: 09/713,457- Thomas Peter Emmons Jr. Confirmation No.: 3369

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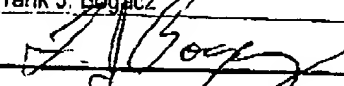
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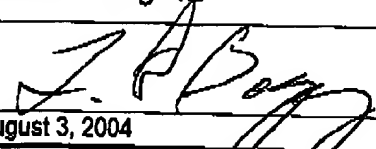
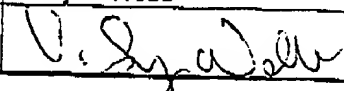
Enclosed herewith, please find AMENDMENT for filing in the below-identified application.

PLEASE GIVE THESE PAPERS TO:

EXAMINER:
GROUP ART UNIT:
SERIAL NO.:
FILED:
INVENTOR:

Michael J. Moore Jr.
2666
09/713,457
NOVEMBER 15, 2000
THOMAS PETER EMMONS JR.

FEE TRANSMITTAL		<i>Complete if Known</i>																																																																																																																																																																																																																											
<div style="text-align: center;">FEE TRANSMITTAL</div> <p>Patent fees are subject to annual revision</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		Application Number	09/713,457																																																																																																																																																																																																																										
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<div><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</div> <div><input checked="" type="checkbox"/> Deposit Account:</div> <div>Deposit Account Number: 502117</div> <div>Deposit Account Name: Motorola, Inc.</div> <div>The Director is authorized to: (check all that apply)</div> <div><input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments</div> <div><input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application</div> <div><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</div>																																																																																																																																																																																																																													
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unavoidable</td><td></td></tr><tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or release)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>540</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>80</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(e)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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<div>Total Claims: 20 = 18 = 2</div> <div>Independent Claims: 3 = 85 = 82</div> <div>Multiple Dependent: 280 = 280</div> <table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>* Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>* Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	* Reissue independent claims over original patent		1205	18	2205	9	* Reissue claims in excess of 20 and over original patent		<div>SUBTOTAL (1) (\$) 0</div> <div>SUBTOTAL (2) (\$) 0</div> <div>SUBTOTAL (3) (\$) 0</div>																																																																																																																																																																																							
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Name (Print/Type): Frank J. Bogacz		Registration No. 29,047																																																																																																																																																																																																																											
Signature: 		Telephone: 602-952-4399																																																																																																																																																																																																																											
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/713,457	
	Filing Date	November 15, 2000	
	First Named Inventor	Thomas Peter Emmons Jr.	
	Group Art Unit	2666	
	Examiner Name	Michael J. Moore Jr.	
Total Number of Pages in this Submission	9	Attorney Docket Number	IRI03902
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter with appropriate copies	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CDs _____		
<input type="checkbox"/> Certified Copy of Priority Documents	Remarks		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	X Facsimile Transmittal Sheet		
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Frank J. Bogacz	Registration No.	29,047
Signature			
Date	August 3, 2004		
CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313 on the date listed below:			
Typed or printed name	V. Lynn Webb		
Signature			
Date	August 3, 2004		

Appl. No. 09/713,457
Amdt. Dated August 3, 2004
Reply to Office Action of July 26, 2004

Docket No. IRI03902
Customer No.. 23330

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S)	Thomas Peter Emmons Jr.	GROUP ART UNIT:	2668
APPLN. NO.:	09/713,457	EXAMINER:	Michael J. Moore Jr.
FILED:	November 15, 2000	Confirmation No.	3369
TITLE:	METHODS AND APPARATUS FOR PROVIDING MULTIPLE WIRELESS COMMUNICATION SERVICES HAVING DIFFERENT BIT RATES		

AMENDMENT AFTER FINAL REJECTION

RECEIVED
CENTRAL FAX CENTER

AUG 03 2004

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

Sir:

In response to the Office Action dated July 26, 2004, Paper No. 5, please amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.